

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

THE FORTUNE SOCIETY, INC.

Plaintiff,

v.

iAFFORD NY, LLC,

Defendant.

Civil Action No.: 1:22-cv-06584-PKC-SJB

Judge Pamela K. Chen

Magistrate Judge Sanket J. Bulsara

**PLAINTIFF’S EXPEDITED MOTION TO COMPEL POST-JUDGMENT DISCOVERY
AND FOR SANCTIONS AGAINST COUNSEL FOR iAFFORD**

Plaintiff and Judgment Creditor The Fortune Society, Inc. (“Plaintiff”) hereby moves this Court on an expedited basis to compel post-judgment discovery from Defendant and Judgment Debtor iAfford NY, LLC (“Defendant” or “iAfford”), and to sanction iAfford’s counsel and award attorneys’ fees and costs to Plaintiff for its counsel’s post-judgment efforts. Plaintiff submits the attached Memorandum in support of both motions.¹

First, Plaintiff moves the Court to compel responses to information and document subpoenas that Plaintiff properly served on Defendant on September 15, 2023. Although Plaintiff is entitled to this critical post-judgment information, Defendant and its counsel have entirely refused to comply with the valid subpoenas.

Plaintiff additionally moves this Court to sanction iAfford’s counsel Cori Rosen and John Giampolo of Rosenberg & Estis P.C. for their fraudulent and vexatious conduct in this matter, as

¹ Considering the unusual circumstances surrounding this Motion, Plaintiff is filing its motion papers before the motion has been fully briefed and requests near-term intervention to prevent further prejudice.

more fulsomely described in the attached Memorandum. At a minimum, Plaintiff requests that the Court order iAfford's counsel to pay all attorneys' fees and costs expended by Plaintiff's counsel after this Court's entry of judgment against iAfford on August 15, 2023.

Plaintiff's Memorandum of Law in support of this Motion is attached hereto as Exhibit A.

A proposed order granting Plaintiff's Motion is attached hereto as Exhibit B.

Dated: October 4, 2023

Respectfully submitted,

/s/ Lila Miller
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Lila Miller*
Valerie Comenencia Ortiz*
Emily Curran*
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CERTIFICATE OF SERVICE

I hereby certify that on October 4, 2023, a copy of the foregoing Plaintiff's Expedited Motion to Compel Post-Judgment Discovery and for Sanctions Against Counsel for IAfford was filed and served electronically on all counsel of record using the Court's CM/ECF system.

/s/ Lila Miller
Lila Miller

Counsel for Plaintiff